

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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JAN 29 2007

UNITED STATES TELECOM ASSOCIATION,

Petitioner,

v.

FEDERAL COMMUNICATIONS
COMMISSION and THE UNITED STATES
OF AMERICA,

Respondents.

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

No. 00-1428

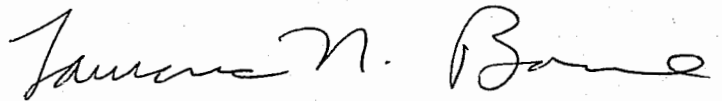
STATUS REPORT

The Federal Communications Commission files this status report pursuant to the Court's order dated January 19, 2001. In that order, the Court granted the Commission's motion to hold this case in abeyance pending agency action on petitions for reconsideration of the challenged *South Dakota Declaratory Ruling*.^{*} In an order dated January 31, 2005, the Court enlarged from 30 to 90 days the intervals at which the Commission must file status reports.

^{*} *Federal-State Joint Board on Universal Service; Western Wireless Corporation Petition for Preemption of an Order of the South Dakota Public Utilities Commission*, CC Docket No. 96-45, Declaratory Ruling, 15 FCC Rcd 15168 (2000) ("*South Dakota Declaratory Ruling*").

The Commission has not yet completed action on the reconsideration petitions. Commission counsel will promptly inform the Court and the parties when the agency acts on those petitions. In the meantime, the Court should continue to hold the case in abeyance.

Respectfully submitted,



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January 22, 2007

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

United States Telecom Association, Petitioner,

v.

Federal Communications Commission, and USA, Respondents.

Certificate Of Service

I, Tamika S. Parker, hereby certify that foregoing "Status Report" was served this 22nd day of January, 2007, by mailing true copies thereof, postage prepaid, to the following persons at the addresses listed below:

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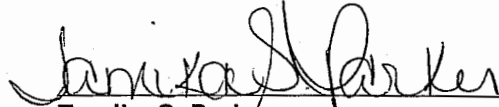
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